

REMARKS

Claims 1, 2, 4-10, and 12-17 are pending in this application. Claims 3, 11, and 18-20 have been cancelled, while claims 21 and 22 have been withdrawn. Claims 1, 2, 4, 6, 7, and 17 have been amended. However, no new subject matter is believed to have been added by this Amendment.

The Applicant would like to thank the Examiner for the telephone interview of June 2, 2010, discussing the references used to reject the claims in the current Office Action along with U.S. Patent No. 1,112,181 and newly cited prior art U.S. Patent No. 815,292 submitted in the Supplemental Information Disclosure Statement included herewith.

In Section No. 3 of the Office Action the Examiner rejects claims 1-19 under 35 U.S.C. §102(b) as being anticipated by the teaching of United States Patent No. 6,631,598 to Raineri (hereinafter the "Raineri patent").

Briefly summarizing, the subject invention is directed to a framing system and the individual components associated therewith, wherein the framing system has a plank member having a back surface with at least one resilient rib protruding therefrom or at least one receptor pocket extending therein and a frame member having at least one receptor pocket extending therein or at least one resilient rib protruding therefrom. The at least one resilient rib has a profile with a first side and a second side which diverge from one another as they extend away from the member to which they are attached and converge to a tip at the furthestmost extension of the rib away from the member. By doing so, the rib is able to snap within the receptor pocket to secure the plank and the frame together to provide the framing system. The rib has a maximum height that is greater than the minimum width of the receptor pocket such that the rib may be captured within the receptor pocket. Independent claims 1 and 17 have been amended to highlight this feature which is clearly illustrated in at least Figs. 2-9, 11-17 and 22 of the application. The Raineri patent, on the other hand, is directed to a method of laying floors or linings which, as illustrated in Fig. 3, is comprised of resilient interlocking dove-tail members, wherein each dove-tail member diverges as it extends away from its base. Contrary to the subject invention, these dove-tail members do not converge to form a tip at the further most end

of a rib. As a result, the manner by which the floor or lining members in the Raineri patent are secured to a base is significantly different. With respect to the subject invention, a plank member may be secured to a frame member by pushing the two toward one another until the rib snaps within the receptor pocket. On the other hand, the ribs of the Raineri patent must be first engaged with a pocket and then must be laterally displaced with respect to the pocket, such that the rib and the pocket together deform so that they may mate. Merely pushing the two members together would be ineffective. For that reason the Applicant believes that the rib design as found in amended claim 1 is neither anticipated nor made obvious by the teaching of the Raineri patent and, for that reason, is believed to be patentably distinct over the Raineri patent and the cited prior art.

Additionally, by way of their dependence upon what is believed to be patentably distinct independent claim 1, dependent claims 2, 4-10, and 12-16 are themselves believed to be patentably distinct over the prior art of record. Claim 17 has been amended in a fashion similar to that of claim 1 and, for reasons previously discussed with respect to claim 1, claim 17 is believed to be patentably distinct over the prior art of record.

Claims 19 and 20 have been cancelled.

In Section No. 5 of the Office Action the Examiner rejects claim 20 under 35 U.S.C. §103(b) as being obvious from the teaching of the Raineri patent. Claim 20 has been cancelled.

The Applicant has brought to the Examiner's attention United States Patent No. 815,292 to Hegbom (hereinafter the "Hegbom patent") and U.S. Patent No. 1,112,181 to White (hereinafter the "White patent"), each showing a metal structure for use with lathes. The framing system defined in the currently pending claims is believed to define over the teaching of these two references. In particular, at least one major distinction between the currently pending claims as found in independent claims 1 and 17 is directed to the claimed shape of the resilient rib having a profile with a first side and a second side which diverge from one another as they

Application No. 10/587,886
Paper Dated: July 26, 2010
In Reply to USPTO Correspondence of February 26, 2010
Attorney Docket No. 4417-062209

extend away from the member to which they are attached and converge to a tip at the furthestmost extension of the rib away from the member. Additionally, claim 4 specifies that the first and second side of the at least one resilient rib are spaced from one another at the member to define a hollow interior therebetween and in another embodiment, claim 7 indicates that the rib is continuous between the first side and the second side to define a solid rib. Neither of these features is taught or suggested by either the Hegbom patent or the White patent.

Consideration and allowance of the pending claims are respectfully requested.

Respectfully submitted,
THE WEBB LAW FIRM

By 
James G. Porcelli
Registration No. 33,757
Attorney for Applicant
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com